



City of Charlotte Commercial Non-Discrimination Ordinance Frequently Asked Questions

The following information and frequently asked questions (FAQs) are intended to address non-discrimination for businesses that have or are seeking a contract with the City of Charlotte to provide goods or services. The information details who is covered by the ordinance, what is and is not permitted, and how complaints are handled.

Ordinance Background

The City of Charlotte adopted a commercial non-discrimination ordinance in 2003. The ordinance prohibited discrimination by City contractors based on race, gender, religion, national origin, ethnicity, age, or disability. Amendments approved by the City Council in 2016 expand non-discrimination protections to include marital status, familial status, sexual orientation, gender identity, and gender expression. These amendments are effective April 1, 2016.

What type of discrimination does the Commercial Non-Discrimination Ordinance prohibit?

The commercial non-discrimination ordinance prohibits a current or prospective city contractor from discriminating based on one of the characteristics protected by the ordinance. Those protected characteristics are: race, gender, religion, national origin, ethnicity, age, marital status, familial status, sexual orientation, gender identity, gender expression, or disability.

Specifically, a business is not permitted to enter into a contract with the city for the provision of goods or services if that business discriminates in how it solicits, selects, hires, or treats its current or prospective vendors, suppliers, subcontractors, or commercial customers based on these protected characteristics. A business cannot impose or create any disadvantage, difference, distinction, or preference with respect to the protected characteristics of a business or person with which it does business if such a disadvantage, difference, distinction, or preference is based on a protected characteristic.

What businesses are subject to the ordinance?

The ordinance applies broadly to any and all businesses that contract with or seek to enter into a contract with the City of Charlotte to provide goods or services.

How does someone who believes they have been discriminated against in violation of the ordinance file a complaint?

A person who believes that a business that has entered into a contract with the City of Charlotte has discriminated based on a protected characteristic may file a complaint with the City's Charlotte Business

Inclusion Office. Please contact Nancy Rosado, Charlotte Business Inclusion Manager, at 704-336-2116 or nrosado@charlottenc.gov

How is the ordinance enforced?

The Charlotte Business Inclusion Office processes and investigates complaints of unlawful commercial discrimination. The Charlotte Business Inclusion Office may find that discrimination has occurred or may require a plan to eliminate or reduce unlawful discrimination.

Additionally, the Charlotte Business Inclusion Office may seek arbitration on the matter, which may result in various potential corrective actions, including terminating an existing contract, prohibiting the business from contracting with the City of Charlotte, or seeking remediation for any fraudulent certifications made during the contract application and award process regarding its non-discrimination practices.

Can someone bring their own lawsuit under the ordinance?

No. The ordinance does not permit private citizens to bring a lawsuit against a business in violation of the ordinance. Enforcement must be sought by filing a complaint with the City's Charlotte Business Inclusion Office for investigation, arbitration, or enforcement pursuant to Article V, of Chapter 2 of the Charlotte City Code.